

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

SAYBREE FILLYAW,	)	
Plaintiff,	)	
	)	
vs.	)	No. 3:22-CV-1112-N (BH)
	)	
COMMUNITY NATIONAL BANK &	)	
TRUST, et al.,	)	
Defendants.	)	Referred to U.S. Magistrate Judge <sup>1</sup>

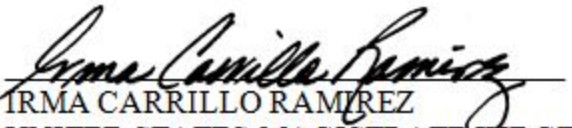
RECOMMENDATION REGARDING MOTION TO PROCEED  
*IN FORMA PAUPERIS* ON APPEAL

Before the Court is the plaintiff's *Application to Proceed In District Court Without Prepaying Fees or Costs (Long Form)*, received October 26, 2023 (doc. 45), which is liberally construed as a motion to proceed *in forma pauperis* on appeal.

- (X) The motion for leave to proceed *in forma pauperis* on appeal should be **DENIED** because the Court should certify under Fed. R. App. P. 24(a)(3) and 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith, and that it presents no legal points of arguable merit and is therefore frivolous for the reasons set forth in the findings, conclusions, and recommendation, filed in this case on August 22, 2023 (doc. 45).

If the Court denies the request to proceed *in forma pauperis* on appeal, the plaintiff may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). See Fed. R. App. P. 24(a)(5).

SIGNED this 27th day of October, 2023.

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup>By 28 U.S.C. § 636(b) and Amended Miscellaneous Order No. 6 (adopted by Special Order No. 2-59 on May 5, 2005), requests to proceed *in forma pauperis* are automatically referred.